

# TRANSMITTAL FORM

Application Serial Number	09/256,156
Filing Date	February 24, 1999
First Named Inventor	Gillies
Group Art Unit	1646
Examiner Name	J. F. Murphy
Attorney Docket No.	LEX-003

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## ENCLOSURES (check all that apply)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Check Attached</li> <li><input type="checkbox"/> Copy of Fee Transmittal Form</li> </ul> <input type="checkbox"/> Amendment and Response <ul style="list-style-type: none"> <li><input type="checkbox"/> Preliminary</li> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/declaration(s)</li> <li><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]</li> </ul> <input type="checkbox"/> Petition for Extension of Time<br><br><input checked="" type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Form PTO-1449</li> <li><input checked="" type="checkbox"/> Copies of IDS Citations (A2-A54; B7-B82; C10-C142)</li> </ul> <input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <li><input type="checkbox"/> Paper Copy/CD</li> <li><input type="checkbox"/> Computer Readable Copy</li> <li><input type="checkbox"/> Statement verifying identity of above</li> </ul> | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Associate Power of Attorney<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <li><input type="checkbox"/> Certificate of Correction (in duplicate)</li> </ul> | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><br><input checked="" type="checkbox"/> Certificate of Hand Delivery<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|--|---|

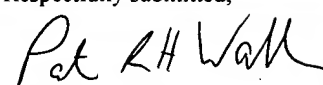
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05/02/2003 GAN:NY 00000000000000000000  
 01 FC:306  
 Copies of IDS Citations (A2-A54; B7-B82; C10-C142)

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
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## SIGNATURE BLOCK

Respectfully submitted,  
  
 Date: April 29, 2003  
 Reg. No. 41,418  
 Tel. No.: (617) 248-7240  
 Fax No.: (617) 248-7100  
 Patrick R.H. Waller  
 Attorney for Applicant  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

# **FEE TRANSMITTAL** **FY 2003**

*Complete if Known*

Application Serial Number	09/256,156
Filing Date	February 24, 1999
First Named Inventor	Gillies
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## **METHOD OF PAYMENT**

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☐ Applicant claims small entity status.

## **FEE CALCULATION**

### **1. FILING FEE**

Large Entity Fee (\$)	Fee Description	Fee Paid
750	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL:  
 SMALL ENTITY DISCOUNT:  
 SUBTOTAL (1) (\$) 0.00

### **2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total 13	- 44 =	0	x \$ 18.00 =	0.00
Indep. 3	- 4 =	0	x \$ 84.00 =	0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$) 0.00  
 SMALL ENTITY DISCOUNT: (\$) 0.00  
 SUBTOTAL (2) (\$) 0.00

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
410	205	Extension for reply within second month	
930	465	Extension for reply within third month	
1450	725	Extension for reply within fourth month	
1970	985	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	180.00
750	375	Filing a submission after final rejection (37 CFR 1.129(a))	
750	375	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)

Other fee (Specify)

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SUBTOTAL (3) (\$) 180.00

SUBTOTAL (1) 0.00  
 SUBTOTAL (2) 0.00  
 SUBTOTAL (3) 180.00

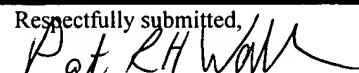
TOTAL (\$) 180.00

## **CORRESPONDENCE ADDRESS**

Direct all correspondence to:  
 Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## **SIGNATURE BLOCK**

Date: April 29, 2003  
 Reg. No.: 41,418  
 Tel. No.: (617) 248-7240  
 Fax No.: (617) 248-7100

Respectfully submitted,  
  
 Patrick R.H. Waller  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110

Attorney Docket No. LEX 803  
4006714

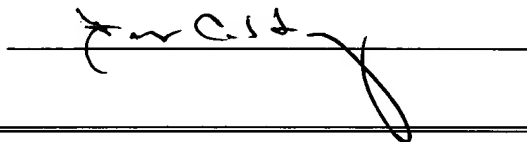
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Gillies et al.  
SERIAL NO.: 09/256,156 GROUP NO.: 1646  
FILING DATE: February 24, 1999 EXAMINER: J. F. Murphy  
TITLE: Enhancing the Circulating Half-Life of Antibody-Based Fusion Proteins

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being hand delivered to Group Art Unit No. 1646 at the United States Patent and Trademark Office in 3 boxes addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to the attention of Examiner Joseph F. Murphy, on this 1<sup>st</sup> day of May, 2003.



Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith is/are:

Transmittal Form (1 page); Fee Transmittal Form (1 page); Supplemental Information Disclosure Statement (2 pages); Supplemental Form PTO-1449 (15 pages); copies of references A2-A54, B7-B82, & C10-C142; a check in the amount of \$180.00; and a return receipt postcard.

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PATENT  
Attorney Docket No. LEX-003 (4006/14)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gillies et. al  
SERIAL NO.: 09/256,156 GROUP NO.: 1646  
FILING DATE: February 24, 1999 EXAMINER: J. F. Murphy  
TITLE: Enhancing the Circulating Half-Life of Antibody-Based Fusion Proteins

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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MAY 05 2003

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, OR
- ☒ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

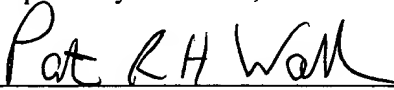
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

Date: April 29, 2003  
Reg. No. 41,418

Tel. No.: (617) 248-7240  
Fax No.: (617) 248-7100

2614555

Respectfully submitted,



Patrick R.H. Waller, Ph.D.  
Attorney for Applicant(s)  
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High Street Tower  
125 High Street  
Boston, Massachusetts 02110

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<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.: LEX-003</b>			
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Gillies et al.</b>			
				<b>SERIAL NO.: 09/256,156</b>			
				<b>FILING DATE: February 24, 1999</b>			
				<b>GROUP: 1646</b>			
<b>U.S. PATENT DOCUMENTS</b>							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A2	07/348,237	5/5/89	Rosenblum et al.			
	A3	4,196,265	4/1/80	Koprowski et al.			
	A4	4,469,797	9/4/84	Albarella			
	A5	4,676,980	6/30/87	Segal et al.			
	A6	4,816,567	3/28/89	Cabilly et al.			
	A7	4,946,778	8/7/90	Ladner et al.			
	A8	5,073,627	12/17/91	Curtis et al.			
	A9	5,114,711	5/19/92	Bell et al.			
	A10	5,116,964	5/26/92	Capon et al.			
	A11	5,199,942	4/6/93	Gillis			
	A12	5,225,538	7/6/93	Capon et al.			
	A13	5,225,539	7/6/93	Winter			
	A14	5,258,498	11/2/93	Huston et al.			
	A15	5,314,995	5/24/94	Fell, Jr. et al.			
	A16	5,349,053	9/20/94	Landolfi			
	A17	5,359,035	10/25/94	Habermann			
	A18	5,514,582	5/7/96	Capon et al.			
	A19	5,538,866	7/23/96	Israeli et al.			
	A20	5,541,087	7/30/96	Lo et al.			
	A21	5,543,297	8/6/96	Cromlish, et al.			
	A22	5,552,524	09/03/96	Basinski et al.			
	A23	5,585,089	12/17/96	Queen et al.			
	A24	5,609,846	3/11/97	Goldenberg			
	A25	5,639,725	6/17/97	O'Reilly et al.			
	A26	5,650,150	7/22/97	Gillies			
	A27	5,650,492	7/22/97	Gately, et al.			
	A28	5,667,776	9/16/97	Zimmerman et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Gillies et al.</b>			
				<b>SERIAL NO.: 09/256,156</b>			
				<b>FILING DATE: February 24, 1999</b>		<b>GROUP: 1646</b>	
<b>U.S. PATENT DOCUMENTS</b>							
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A29	5,691,309	11/25/97	Basinski et al.			
	A30	5,709,859	1/20/98	Aruffo et al.			
	A31	5,719,266	02/17/98	DiMarchi et al.			
	A32	5,723,125	3/3/98	Chang et al.			
	A33	5,726,044	3/10/98	Lo et al.			
	A34	5,728,552	3/17/98	Fujisawa et al.			
	A35	5,733,876	3/31/98	O'Reilly et al.			
	A36	5,756,461	05/26/98	Stephens			
	A37	5,759,551	6/2/98	Ladd et al.			
	A38	5,770,195	6/23/98	Hudziak et al.			
	A39	5,800,810	9/1/98	Doyle et al.			
	A40	5,827,516	10/27/98	Urban et al.			
	A41	5,837,682	11/17/98	Folkman et al.			
	A42	5,843,423	12/1/98	Lyman et al.			
	A43	5,854,205	12/29/98	O'Reilly et al.			
	A44	5,858,347	1/12/99	Bauer et al.			
	A45	5,885,795	3/23/99	O'Reilly et al.			
	A46	5,886,178	3/23/99	Allen et al.			
	A47	5,994,126	11/30/99	Steinman et al.			
	A48	6,080,409	6/27/00	Laus et al.			
	A49	6,086,875	7/11/00	Blumberg et al.			
	A50	6,100,387	8/8/00	Herrmann et al.			
	A51	6,169,070	1/2/01	Chen et al.			
	A52	6,171,588	1/9/01	Carron et al.			
	A53	6,277,375 B1	8/21/01	Ward			
	A54	6,406,689 B1	6/18/02	Falkenberg et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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<b>FORM PTO - 1449</b>					<b>ATTORNEY DOCKET NO.: LEX-003</b>				
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>					<b>APPLICANT(S): Gillies et al.</b>				
					<b>SERIAL NO.: 09/256,156</b>				
					<b>FILING DATE: February 24, 1999</b>		<b>GROUP: 1646</b>		
<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILIN G DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B7	0 158 198	10/16/85	EP					Y
	B8	0 211 769	2/25/87	EP					Y
	B9	0 256 714	2/24/88	EP					Y
	B10	0 294 703	12/14/88	EP					Y
	B11	0 308 936	3/29/89	EP					Y
	B12	0 314 317	5/3/89	EP					Y
	B13	0 319 012	6/7/89	EP					Y
	B14	0 326 120	4/15/98	EP					Y
	B15	0 350 230	1/10/90	EP					Y
	B16	0 375 562	6/27/90	EP					Y
	B17	0 396 387	11/7/90	EP					Y
	B18	0 439 095	7/31/91	EP					Y
	B19	0 511 747	11/4/92	EP					Y
	B20	0 601 043	11/25/98	EP					Y
	B21	0 706 799	4/17/96	EP					Y
	B22	0 790 309	8/20/97	EP					Y
	B23	21725/88	3/23/89	AU					Y
	B24	93100115.3	7/14/93	CN				B78 is English abstract	N
	B25	37 12985	11/3/88	DE				B79 is English abstract; A50 is English counterpart	N
	B26	2 292 382	2/21/96	GB					Y
	B27	63-267278	11/4/88	JP				B80 is English abstract	N
	B28	63-267296	11/4/88	JP				B81 is English abstract; B82 is English counter part	N
	B29	WO 86/01533	3/13/86	PCT					Y
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				



FORM PTO - 1449

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: LEX-003

APPLICANT(S): Gillies et al.

SERIAL NO.: 09/256,156

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## FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILIN G DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B30	WO 88/00052	1/14/88	PCT					Y
	B31	WO 88/09344	12/1/88	PCT					Y
	B32	WO 89/02922	4/6/89	PCT					Y
	B33	WO 89/09620	10/19/89	PCT				Abstract in English	N
	B34	WO 90/03801	4/19/90	PCT					Y
	B35	WO 91/00360	1/10/91	PCT					Y
	B36	WO 91/04329	04/04/91	PCT					Y
	B37	WO 91/08298	6/13/91	PCT					Y
	B38	WO 91/13166	9/5/91	PCT					Y
	B39	WO 91/14438	10/3/91	PCT					Y
	B40	WO 92/02240	2/20/92	PCT					Y
	B41	WO 92/08801	5/29/92	PCT					Y
	B42	WO 92/16562	10/1/92	PCT					Y
	B43	WO 93/03157	2/18/93	PCT					Y
	B44	WO 93/10229	5/27/93	PCT					Y
	B45	WO 95/21258	8/10/95	PCT					Y
	B46	WO 95/28427	10/26/95	PCT					Y
	B47	WO 95/31483	11/23/95	PCT					Y
	B48	WO 96/04388	02/15/96	PCT					Y
	B49	WO 96/05309	2/22/96	PCT					Y
	B50	WO 96/08570	3/21/96	PCT					Y
	B51	WO 96/31526	10/10/96	PCT					Y
	B52	WO 97/00317	1/3/97	PCT					Y
EXAMINER					DATE CONSIDERED				

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DISCLOSURE STATEMENT

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	B53	WO 97/15666	5/1/97	PCT					Y
	B54	WO 97/24137	7/10/97	PCT					Y
	B55	WO 97/24440	7/10/97	PCT					Y
	B56	WO 97/26335	7/24/97	PCT					Y
	B57	WO 97/30089	8/21/97	PCT					Y
	B58	WO 97/33619	9/18/97	PCT					Y
	B59	WO 97/34631	9/25/97	PCT					Y
	B60	WO 98/00127	1/8/98	PCT					Y
	B61	WO 98/06752	2/19/98	PCT					Y
	B62	WO 98/28427	7/2/98	PCT					Y
	B63	WO 98/30706	7/16/98	PCT					Y
	B64	WO 98/46257	10/22/98	PCT					Y
	B65	WO 98/59244	12/30/98	PCT					Y
	B66	WO 99/02709	01/21/99	PCT					Y
	B67	WO 99/03887	01/28/99	PCT					Y
	B68	WO 99/29732	6/17/99	PCT					Y
	B69	WO 99/43713	9/2/99	PCT					Y
	B70	WO 99/52562	10/21/99	PCT					Y
	B71	WO 99/53958	10/28/99	PCT					Y
	B72	WO 99/62944	12/09/99	PCT					Y
	B73	WO 00/11033	3/2/00	PCT					Y
	B74	WO 00/34317	06/15/00	PCT					Y
	B75	WO 00/40615	7/13/00	PCT					Y
EXAMINER					DATE CONSIDERED				

<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.: LEX-003</b>					
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Gillies et al.</b>					
				<b>SERIAL NO.: 09/256,156</b>					
				<b>FILING DATE: February 24, 1999</b>					
<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B76	WO 00/69913	11/23/02	PCT					Y
	B77	WO 01/07081	2/1/01	PCT					Y
	B78	93100115.3	7/14/93	CN				English abstract of B24	Y
	B79	37 12985	11/3/88	DE				English abstract of B25	Y
	B80	63-267278	11/4/88	JP				English abstract of B27	Y
	B81	63-267296	11/4/88	JP				English abstract of B28	Y
	B82	0 237 019	9/16/87	EP				English counterpart of B28	Y
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
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EXAMINER		DATE CONSIDERED

<b>FORM PTO - 1449</b>  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>		ATTORNEY DOCKET NO.: LEX-003  APPLICANT(S): Gillies et al.  SERIAL NO.: 09/256,156  FILING DATE: February 24, 1999      GROUP: 1646	
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>		
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<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

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<b>FORM PTO - 1449</b>  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>		ATTORNEY DOCKET NO.: LEX-003  APPLICANT(S): Gillies et al.  SERIAL NO.: 09/256,156  FILING DATE: February 24, 1999      GROUP: 1646	
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)		
	C138	Williams et al., (1987), "Diphtheria toxin receptor binding domain substitution with interleukin-2: genetic construction and properties of a diphtheria toxin-related interleukin-2 fusion protein", <u>Protein Engineering</u> , Vol. 1, No. 6, pp. 493-498.	
	C139	Williams et al., (1986), "Production of antibody-tagged enzymes by myeloma cells: application to DNA polymerase I Klenow fragment," <u>Gene</u> , Vol. 43, pp. 319-324.	
	C140	Wooley et al. (1993) "Influence of a Recombinant Human Soluble Tumor Necrosis Factor Receptor FC Fusion Protein on Type II Collagen-Induced Arthritis in Mice," J. Immunol. 151: 6602-6607.	
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EXAMINER		DATE CONSIDERED	

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